

OPINION 1227

TINEA BJERKANDRELLA THUNBERG, 1784 AND
PHALAENA (NOCTUA) CARDUI HÜBNER, 1790
(INSECTA, LEPIDOPTERA): CONSERVED

RULING.—(1) Under the plenary powers the specific name *cardui* Ström, 1783, as published in the combination *Phalaena (Tortrix) cardui*, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(2) The following names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *bjerkandrella* Thunberg, 1784, as published in the binomen *Tinea bjerkandrella* (Name Number 2822);
- (b) *cardui* Hübner, 1790, as published in the combination *Phalaena (Noctua) cardui* (Name Number 2823).

(3) The specific name *cardui* Ström, 1783, as published in the combination *Phalaena (Tortrix) cardui*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1106.

HISTORY OF THE CASE Z.N.(S.)2204

An application for the conservation of *Tinea bjerkandrella* Thunberg, 1784 and *Phalaena (Noctua) cardui* Hübner, 1790 was first received on 29 October 1976 from Dr I.W.B. Nye (*British Museum (Natural History), London*), Dr. O. Karsholt (*Skibinge, Praestø, Denmark*) and Dr E.S. Nielsen (*Universitetets Zoologiske Museum, Copenhagen, Denmark*). It was sent to the printer on 19 April 1977 and published on 31 August 1977 in *Bull. zool. Nom.* vol. 34, pp. 106–108. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials, seven general and eight entomological serials. No comments were received except one pointing out a misspelling (see vol. 35, p. 265).

DECISION OF THE COMMISSION

On 6 October 1981 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (81)28 for or against the proposals set out in *Bull. zool. Nom.* vol. 34, pp. 107, 108. At the close of the voting period on 6 January 1982 the state of the voting was as follows:

Affirmative Votes — twenty-one (21) received in the following order: Melville, Holthuis, Sabrosky, Willink, Trjapitzin, Corliss, Vokes, Brinck, Tortonese, Hahn, Lehtinen, Alvarado,

Habe, Heppell, Binder, Dupuis, Nye, Bayer, Welch, Cogger, Mroczkowski

Negative Votes — none (0).

Late affirmative votes were received from Halvorsen, Ride and Starobogatov. No votes were returned by Bernardi and Kraus.

ORIGINAL REFERENCES

The following are the original references for the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

bjerkandrella, *Tinea*, Thunberg, 1784, *D.D. Dissertatio Entomologica sistens Insecta Svecica*, vol. 1, p. 24, fig.

cardui, *Phalaena Noctua*, Hübner, 1790, *Beitr. Gesch. Schmett.* vol. 2, p. 84, pl. 1, fig. B

cardui, *Phalaena Tortrix* Ström, 1783, *Nye Saml. k. dansk. Vid. Selsk. Christ.* vol. 2, p. 87.

CERTIFICATE

I hereby certify that the votes cast on V.P.(81)28 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1227.

R.V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

27 May 1982